

**NOTICE OF APPEAL FROM THE EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re application of: **Birkhoelzer et al.**

Serial No.: **09/992,974**

For: **"MEDICAL SYSTEM ARCHITECTURE WITH A WORKSTATION AND A CALL SYSTEM"**

Filed: **November 19, 2001**

Group Art Unit: **2152** Confirmation No. **7671**

Examiner: **Ramsey Refai**

**MAIL STOP AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

SIR:

Applicant or patent owner hereby appeals to the Board of Patent Appeals and Interferences from the decision dated January 31, 2007 of the Examiner rejecting claims 1-22 for the second time.

The item(s) checked below are appropriate:

1. ☒ An extension of time to respond to the final rejection was obtained on January 17, 2006 for one month
2. ☐ An extension of time to respond to the rejection dated \_\_\_\_\_ for \_\_\_\_\_ month(s) so that the period is extended from \_\_\_\_\_ to \_\_\_\_\_ is hereby requested under 37 CFR 1.136.
3. ☒ Appeal fee amount: (see attached credit request) ☐ \$250.00 ☐ \$500.00  
☐ Extension of Time Fee \_\_\_\_\_
- a. ☐ Enclosed
- b. ☐ Charge to Deposit Account No. 501519 (One additional copy of this Notice enclosed herewith).

Any deficiency or overpayment should be charged or credited to Deposit Account No. 501519. ~~A duplicate copy of this sheet is enclosed.~~

Signature (37 CFR 1.191(b))  (Reg. No. 28,982)

Post Office Address (to which  
Correspondence is to be sent)

Schiff, Hardin LLP  
**Patent Department**  
6600 Sears Tower  
Chicago, Illinois 60606-6473  
**CUSTOMER NUMBER 26574**  
Telephone: (312) 258-5790

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

|             |   |                        |
|-------------|---|------------------------|
| APPELLANTS: | Birkhoelzer et al.  | CONFIRMATION NO. 7671  |
| SERIAL NO.: | 09/992,974  | GROUP ART UNIT: 2152   |
| FILED:      | November 19, 2001   | EXAMINER: Ramsey Rafai |
| TITLE:      | "MEDICAL SYSTEM ARCHITECTURE WITH A<br>WORKSTATION AND A CALL SYSTEM" |                        |

**MAIL STOP APPEAL BRIEF-PATENTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**REQUEST TO APPLY PREVIOUS-PAID FEES ACCOMPANYING PREVIOUSLY-  
FILED NOTICE OF APPEAL AND APPEAL BRIEF TO THE NOTICE OF APPEAL  
AND APPEAL BRIEF FILED HEREWITH**

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S I R:

During previous prosecution of the present application, Appellants filed a Notice of Appeal on February 14, 2006, which was accompanied by a check for payment of the requisite fee in the amount of \$500.00. An Appeal Brief was previously filed on April 12, 2006, which was also accompanied by a check in the amount of \$500.00 for the requisite fee.

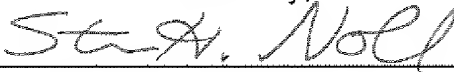
An RCE was thereafter filed, which resulted in another Notice of Appeal being filed on December 1, 2006, and an Appeal Brief being filed on January 30, 2007. Prosecution was thereafter reopened by the Examiner, which has now resulted in another Notice of Appeal and an Appeal Brief being filed simultaneously herewith.

The present appeal is a renewal of the original appeal, and therefore Appellants request that the previously-paid fee that accompanied the Notice of Appeal filed on February 14, 2006 be applied to the Notice of Appeal filed

simultaneously herewith, and also request that the previously-paid fee that was filed with the Appeal Brief on April 12, 2006 be applied to the Appeal Brief being filed simultaneously herewith.

Appellants see no reason why the present Request should not be granted, however, should this Request be denied, the Commissioner is authorized to charge Deposit Account No. 501519 for each of the above fees in the respective amounts of \$500.00, for a total of \$1,000.00. A duplicate copy of this sheet is attached.

Submitted by,



(Reg. 28,982)

SCHIFF, HARDIN LLP

**CUSTOMER NO. 26574**

Patent Department

6600 Sears Tower

233 South Wacker Drive

Chicago, Illinois 60606

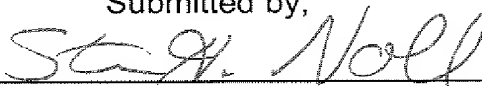
Telephone: 312/258-5790

Attorneys for Appellants.

simultaneously herewith, and also request that the previously-paid fee that was filed with the Appeal Brief on April 12, 2006 be applied to the Appeal Brief being filed simultaneously herewith.

Appellants see no reason why the present Request should not be granted, however, should this Request be denied, the Commissioner is authorized to charge Deposit Account No. 501519 for each of the above fees in the respective amounts of \$500.00, for a total of \$1,000.00. A duplicate copy of this sheet is attached.

Submitted by,



(Reg. 28,982)

SCHIFF, HARDIN LLP  
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